



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ ಎ Part - IVA	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ೦೬, ಮಾರ್ಚ್, ೨೦೨೩(ಫಾಲ್ಗುಣ, ೧೫, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, MONDAY, 06, MARCH, 2023(PHALGUNA, 15, SHAKAVARSHA, 1944)	ನಂ. ೯೭ No. 97
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## **GOVERNMENT OF KARNATAKA**

No. TD 343(1) TDO 2019

Karnataka Government Secretariat,  
M.S. Building,  
Bangalore, Dated:04-03-2023.

## **NOTIFICATION**

Whereas, the 7<sup>th</sup> Supplemental Inter-State Transport Agreement was entered between the States of Karnataka and Andhra Pradesh, vide notification No. TRD 02 TMI 2003, Bangalore dated 7<sup>th</sup> March 2008, published in Karnataka Gazette Part IV-A dated: 07-03-2008, in exercise of the powers conferred by subsection (6) of section 88 of Motor Vehicles act, 1988(Act 59 of 1988).

Whereas, the Hon'ble High Court of Karnataka, by its order dated: 08-12-2010 passed in W.P. No's 4950/2008 (MV), c/w, WP No.5148/2008, WP 10597/2008, and connected writ petitions was pleased to set aside the routes shown at SI. Nos.6, 43, 68 and 69 of Annexure-VIII of the said notification with the observation that the final notification is not in consonance with the draft agreement dated 1/10/2007 published by the State Government, by reserving liberty to the State Government to come up with a final agreement to be published in terms of subsection (6) of section 88 of the Motor Vehicle Act 1988, in furtherance with the Draft agreement/Notification in No. TRD 2 TMI 2003 dated 01-10-2007 and after bestowing to the representations already received and publish such final agreement/ notification in accordance with law.

In so far as other routes not covered under the draft agreement/Notification are concerned, it is inevitable that the government has to go through the procedure of initial publication in terms of Sub-section (5) of Section 88 of the Act and thereafter finalise the same after receiving and considering the representations etc.

Whereas the State Government in compliance of the observations made by the Hon'ble High Court of Karnataka, in its order dated: 08-12-2010 passed in W.P. No's 4950/2008(MV), c/w, WP No.5148/2008, WP 10597/2008, and connected writ petitions and subsequent modified order dated: 11-03-2013, passed by the Hon'ble High Court of Karnataka in W.A.No.5536-40/2011 (MV) and connected Writ Appeals, a Draft Addendum, vide Notification No. SARIE 124 SAENYA 2008, Bangalore, dated: 23/03/2018, to the Notification No. TRD 02 TMI 2003, Bengaluru, dated: 01/10/2007 was published under sub-section (5) of section 88 of the Motor Vehicle Act 1988, for the information of all the persons to make representations/ suggestion if any to be addressed to the Secretary to Government, Transport Department, M.S. Building, Bangalore-560 001.

The representations / suggestions received in response to the Draft Addendum, Notification No. SARIE 124 SAENYA 2008, Bengaluru, dated: 23/03/2018, to the Notification NO. TRD 02 TMI 2003, Bengaluru, dated: 01/10/2007 were heard and considered on 19-01-2022 and 26-05-2022 by the State Government.

And whereas, the State Government has considered the representations /suggestions along with the orders passed by the Hon'ble High Court of Karnataka and the concurrence given by the Andhra Pradesh state Government vide letter No. 13809/Tr.I.2/2007-5, dated 05<sup>th</sup> March 2008, in the interest of travelling public, felt the need for modification of the existing Inter-state route B.Kothakota to Chintamani, in respect of the permit No's. 17/99-00, 58/98-99 & 66/98-99 which are indicated in serial No.6, 43 & 68 and 69 of Annexure-VIII, the State Government has also given consent for modification of these routes as requested by the Government of Andhra Pradesh.

Whereas, in the 7<sup>th</sup> Supplemental Inter-State Transport Agreement entered between the States of Karnataka and Andhra Pradesh, vide notification No. TRD 02 TMI 2003, Bangalore dated 7<sup>th</sup> March 2008, published in Karnataka Gazette Part IV-A dated: 07-03-2008, and Vide Notification No. GOMs No. 48 Transport Roads & Buildings (TR.1) 5<sup>th</sup> March 2008 published in Part-I, Extraordinary Andhra Pradesh Gazette No.129, dated 7<sup>th</sup> March 2008, published in exercise of the powers conferred by subsection (6) of section 88 of Motor Vehicles act, 1988, (Act 59 of 1988), under the heading I. STAGE CARRIAGE at clause 4 it provides as under;

*Some of the routes shown in Annexure-VII, VIII and IX are overlapping the notified schemes in Karnataka state as well as in Andhra Pradesh state. Therefore to enable the operation of services on the notified routes, Governments of both the states can take action to modify the approved schemes.*

Accordingly, both the state Governments modified the approved schemes. Government of Andhra Pradesh in Vide Notification No. GO.Ms. No. 175, Transport Road & Buildings (TR.I), 30<sup>th</sup> July 2009, published in Part-I, Extraordinary Andhra Pradesh Gazette No.129, dated 1<sup>st</sup> August 2009, published a Modified Approved Scheme by modifying the existing schemes to enable the operators to operate their services on the interstate routes as mentioned in the Annexure-VII, VIII & IX of the Notification dated 07-03-2008 and

Government of Karnataka in Vide Notification No. SARIE 155 SAEPA 2008, Bangalore, Dated;05-01-2013, published in Part-IV, Extraordinary Karnataka Gazette No. 14, dated 05-01-2013 in exercise of the powers conferred by subsection (1) of section 102 of Motor Vehicles act, 1988, (Central Act 59 of 1988), for enabling the operation of the services on the notified schemes to the extent of the routes shown in Annexure-VII, VIII and IX of the 7<sup>th</sup> Supplemental Inter-State Transport Agreement, Dated 7<sup>th</sup> March 2008.

Whereas, the Government of Karnataka, vide Notification No. SARIE 27 SAENYA 2017, Bengaluru, Dated ; 28-09-2017, having considered it necessary to modify the existing approved schemes of Bellary, Kolar, Mysore, BTS, Bangalore & Kanakapura, in the public interest modified the Schemes of Bellary, Kolar, Mysore, BTS, Bangalore & Kanakapura, in exercise of the powers conferred under by Sub-section (1) of Section 102 of the M.V.Act 1988,(Central Act of 1988) by inserting the below stated clause in all these approved schemes.

*" In the case of permit holders to whom permits are granted and issued by the Transport Authorities and operating as on 14-01-2002 such permit holders are exempted to operate their services on the inter-state, intra-state, inter-district and intra-district routes, notwithstanding anything contained the scheme with the condition that they shall not be entitled to pick up or set down passengers in such portions of the notified routes.*

Further, Government of Karnataka in Karnataka state, having considered the existing approved schemes, in relation to the area and routes, published a New Comprehensive Area Scheme for the entire state of Karnataka, Vide Notification No. SARIE 174 SAEPA 2015, Bengaluru dated 07-03-2019, as required under sub-section (3) of Section 100 of Motor Vehicles, Act, 1988. In this Notification under clause-d (ii) to (iv) provides exemption for operation of the Stage Carriages by private operators. The operative portion is as under;

*(ii) The existing permits with the trips and vehicles to whom permits are granted and issued by transport authorities, in operation as on 18-12-2014 and also pending renewal to operate their services on inter-state, intra-State, inter-*

*district and intra- district routes notwithstanding anything contained in any of the approved schemes.*

*(iii) The existing permits in operation with trips and vehicles of the private stage carriage operators, who are operating on non Monopoly routes/ area as on 24-03-2018.*

*(iv) The existing permits in operation according to notification No. SARIE 27 SAENYA 2017, Dated 28-09-2017 issued by the Government of Karnataka subject to decision of the Hon'ble high court of Karnataka.*

Now therefore, it is necessary for the State Government in the interest of travelling public to modify the existing Inter-state stage carriage permits 17/99, 58/98 & 66/98, granted by the Karnataka State Transport Authority, Bangalore in accordance with the routes determined by the Government of Karnataka and Government of Andhra Pradesh, in conformity with the covenants and clauses of the final 7<sup>th</sup> Supplemental Interstate agreement/Notification dated 07-03-2008.

Now therefore, State Government having considered it necessary in the public interest and after being fully satisfied with the need to provide additional transport facility on the existing Inter-state routes indicated in column No.4, in relation to Stage Carriage permits, 17/99, 58/98 and 66/98, indicated in Column No.3, thereby relaxes the provisions of Section 80(3) of the Motor Vehicles Act, 1988 in exercise of the powers conferred under proviso to sub-Section (2) of Section 67 and in exercise of the powers conferred under sub-Section (3) of Section 67 of the Motor Vehicle Act, 1988 (as amended by Act 32 of 2019), the Inter-state stage carriage Permits 17/99, 58/98 and 66/98, indicated in Column No.3 of Annexure-VIII of the Notification No. TD 343 TDO 2019, Dated: 04-03-2023, published by state Government, are modified to the extent of route indicated in Column No. 4 to be operated with trips and vehicles indicated in Column No. 8, with following directions to the Karnataka State Transport Authority, Bangalore;

- a. That all the covenants and clauses narrated in the 7<sup>th</sup> Supplemental Inter State Transport Reciprocal Agreement Notification No. TRD 02 TMI 2003, Bangalore dated 7<sup>th</sup> March 2008, published in Karnataka Gazette Part IV-A dated: 07-03-2008, and Notification No. GOMs No. 48 Transport Roads & Buildings (TR.1) 5<sup>th</sup> March 2008 published in Part-I, Extraordinary Andhra Pradesh Gazette No.129, dated 7<sup>th</sup> March 2008, as required under sub-section (6) of Section 88 of M.V.Act, 1988, are applicable to the Inter-state routes and Stage carriage permits indicated in Serial No.6, 43, 68 and 69 of Annexure-VIII, of the Notification.

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- b. The Stage carriage permits indicated in Serial No.6, 43, 68 and 69 of Annexure-VIII, of the Notification No. TD 343 TDO 2019, Dated: 04-03-2023, published in exercise of the powers conferred by sub-section (6) of section 88 of Motor Vehicles act, 1988, (Act 59 of 1988), are covered under the modified approved scheme published by Government of Andhra Pradesh in Vide Notification No. GO. Ms. No. 175, Transport Road & Buildings (TR.I), 30<sup>th</sup> July 2009, published in Part-I, Extraordinary Andhra Pradesh Gazette No.129, dated 1<sup>st</sup> August 2009, and the modified approved scheme published by Government of Karnataka vide Notification No. SARIE 27 SAENYA 2017, Bengaluru, Dated ; 28-09-2017 and a New Comprehensive Area Scheme, published by Government of Karnataka, Vide Notification No. SARIE 174 SAEPA 2015, Bengaluru dated 07-03-2019.
- c. The Karnataka State Transport Authority or its authorized officers under the delegated powers are directed to issue appropriate directions / orders/endorsements in the prescribed form and assign timings in respect of Inter-state stage carriage Permits indicated in *Column No.3* to be operated on the modified routes indicated in *Column No. 4* with Trips and vehicles indicated in *Column No. 8* of Annexure-VIII appended.

By order and in the name of the  
Governor of Karnataka,

(PUSHPA V.S)  
Under Secretary to Government,  
Transport Department.

## Annexure-VIII

Statement showing the routes being/ shall be operated by the private operators of Karnataka in Andhra Pradesh

[illegible]

TD 343(1) TDO 2019

(PUSHPA V.S)  
Under Secretary to Government,  
Transport Department.